

CASE NUMBER	C-07-5627-SC
CASE TITLE	HOUTAN PETROLEUM, INC. -v- CONOCOPHILLIPS COMPANY
COURT REPORTERS	Katherine Sullivan
DEPUTY CLERK	T. De Martini
JUDGE	Samuel Conti
ATTORNEYS FOR PLAINTIFF/COUNTER DEFENDANT	ATTORNEYS FOR DEFENDANT/COUNTER PLAINTIFF
Thomas Bleau	Adam Friedenberg

[illegible]

## LIST OF EXHIBITS AND WITNESSES

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CASE NO. C-07-5627-SC			HOUTAN PETROLEUM, INC. -v- CONOCOPHILLIPS COMPANY					
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES 8/18/08	BY
No.	ID	EV	No.	ID	EV			
						9:30 am	Defendant / Counter Plaintiffs Motion to Exclude Irrelevant and Late-Disclosed Evidence of Anticipated repair costs - Granted	
						9:55 am	Recess	
						10:10 am	Reconvene	
							Jury Selection Began	
						11:21 am	Jury Selected & Sworn	
							Jury Instructed	
						11:30 am	Recess	
						11:45 am	Reconvene	
							Defendant / Counter Plaintiffs Opening Statement	A
						12:25 p.m.	Recess	
						1:25 p.m.	Reconvene	
							Juror #2 Request to change seats - Granted	
							Juror #2 is now seated in the #5 chair	
							Plaintiff / Counter Defendants Opening Statement	11
						1:55 pm	Witness Eb Bozorghdada - Sworn	A
							Direct	
			501	X	X		9/1/07 Dealer Station Lease	
			519	X	X		ConocoPhillips Notice of Termination of Hadad	
			511	X	X		9/07 lease between V.O. Limited Partnership and Houtan Petroleum	
			<del>530</del>	<del>X</del>	<del>X</del>		<del>10/18/07 letter from Hadad</del>	
			<del>502</del>	<del>X</del>				
			530	X	X		10/18/07 Fox enclosing letter from Hadad to Pellegrino	
			502	X	X		10/22/07 Offer to Sell Improvements for ConocoPhillips/Hadad	
			506	X	X		4/19/07 letter from Eb Bozorghdada to John Vidovich	
			522	X	X		4/9/08 City of Mountain View Planning Application	

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CASE NO. C-07-5627-SC			HOUTAN PETROLEUM, INC. -v- CONOCOPHILLIPS COMPANY					
Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES 8/18/08 - 8/19/08	BY
No.	ID	EV	No.	ID	EV			
						3:15 p.m.	Recess	
						3:30 p.m.	Reconvene	
							Continued Direct of Bzongohad	
			522	X	X		4/9/08 City of Mountain View Planning Application	
			524	X	X		101 East El Camino Real Color Rendering	
			520	X	X		5/21/08 letter from Li to Gulshan	
			531	X			8/14/08 Houtan Petroleum Renovations	
						3:47 p.m.	Cross by Plaintiff	T
5	X						Offer to Sell Improvements	
6	X	X					Storage Tank Certificate of Insurance	
7	X	X					Tank Safe - Storage Tank Liability Ins Policy Decl.	
8	X	X					Tank Safe - Storage Tank Liability Ins Policy	
9	X	X					Additional Insured Endorsement	
						4:00 p.m.	John Witness John Whalen - Sworn	A
							Direct	
			529	X	X		8/13/08 Service Station Lease	
			5			4:25 p.m.	Recess	
							August 19, 2008 Tuesday	
						9:15 p.m.	Reconvene - Jury Not present	
							Defendants Motion for Clarification of	
							its motion in limine argued yesterday.	
							The Court Clarified.	
						9:25 a.m.	Jury Present	
							Defendants witness John Whalen - Continued	
						10:11 a.m.	Plaintiffs Cross	
29	X						Letter from De Orange Properties to ConocoPhillips 11/1/07	
78	X						Secondary Cabinet Testing Report 1/28/08	
80	X						Letter from Blean Fox to Glynis Finley 5/20/08	

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Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES 8/19/08	BY
No.	ID	EV	No.	ID	EV			
2	X						Notice of Termination 9/18/07	
						10:50am	Recess	
						11:10am	Reconvene	
							Continued Cross of John Whalen	
1 <del>20</del>	X						ConocoPhillips: Union 76 Branded Reseller Agreement	
22	X						Photograph #13 of the Subject station	
16	X						Photograph #7 of the Subject Station	
20	X						Photograph #11 of the Subject Station	
12	X						Photograph #3 of the Subject Station	
14	X						Photograph #5 of the Subject Station	
25	X						Letter from Blean to ConocoPhillips 10/29/07	
27	X						Letter from Blean to Glynn & Finley 10/31/07	
28	X						Letter from Glynn & Finley to Blean 10/31/07	
81	X						VAC Spread Sheet Summary Exhibits of Leasedhold Mountain View	
82	X						Summary Exhibits of Leasedhold - Los Angeles	
						12:26pm	Recess	
						1:25pm	Reconvene	
							Jury Not present - timing issues discussed	
						1:32pm	<del>Continued Cross of</del> Jury Present	
							Continued Cross of John Whalen	
3	X						Lease between Houtan Petroleum and VO Limited Partnership	
						1:38pm	Redirect	
						1:48pm	Recross	
						1:50pm	Witness Peter Morrison - Sworn	D
							Direct	
<del>51</del>			513	X	X		Professional Qualifications of Peter Morrison	
			503	X	X		8/14/06 Market Value Report	
			514	X	X		Property Appraisal Report	

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Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES 8/19/08	
No.	ID	EV	No.	ID	EV			
							Direct of Peter Morrison - Continued	
			504	X	X		8/14/06 Conocophillips Field Form	
			505	X	X		Marshall Valuation Services excerpts	
			ABD					
			516	X	X		Photos of other Neighborhood Stations	
			DEF					
			516	X			Photos of other Neighborhood Stations	
			GHI					
			516	X			Photos of other Neighborhood Stations	
			J					
			516	X			Photos of other Neighborhood Stations	
						3:00 p.m.	Recess	
						3:15 p.m.	Recess	
							Cross of Morrison	
						4:00 p.m.	Redirect	
						4:03 p.m.	Defendant Rests	
			531	X	X		8/14/08 Houtan Petroleum Renovations	
			A-5					
			516		X		Photos of other Neighborhood Stations	
29		X					letter from De Anda Reporters to ConocoPhillips 11/1/07	
25		X					letter from Bleau to ConocoPhillips 10/29/07	
28		X					letter from Glynn & Finley to Bleau 10/31/07	
12							Not in at present	
14							Not in at present	
16							Not in at present	
20							Not in at present	
22							Not in at present	
78		X					Secondary Calibration testing report 1/28/08	
79		X					Work estimates from Shuckler Construction 8/1/08	
80		X					letter from Bleau to Glynn 5/20/08	
27		X					letter from Bleau to Glynn 10/31/07	
							Jury instructions discussed	
						4:25 p.m.	Recess	

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Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES	BY
No.	ID	EV	No.	ID	EV			
							8/20/08	
							Wednesday, August 20, 2008	
						9:15Am.	Reconvene	
							Plaintiffs Witness Ed Bozorg hadad - Sworn	Y
							Direct	
10	X	X					Photograph of subject station	
11	X	X					Photo of Subject Station	
12	X	X					Photo of Subject Station	
14	X	X					Photo of Subject Station	
15	X	X					Photo of Subject Station	
16	X	X					Photo of Subject Station	
17	X	X					Photo of Subject Station	
20	X	X					Photo of Subject Station	
21	X	X					Photo of Subject Station	
22	X	X					Photo of Subject Station	
19		X					Photo of Subject Station	
						9:43Am	Cross	
						9:50Am	Re direct	
						9:52am.	Witness Richard Mathews - Sworn	Y
							Direct	
2	X						Notice of termination 9/18/07	
35	X						Declaration of Richard Mathews 11/9/07	
3	X						Lease between Houtan + VO Limited Partners	
42	X						Letter from ConocoPhillips to Wilkey 9/17/04	
43	X						Letter from Wilkey to ConocoPhillips 9/24/04	
44	X						Letter from ConocoPhillips to Wilkey 3/11/05	
45	X						Letter from Wilkey to ConocoPhillips 4/15/05	
48	X						Letter from ConocoPhillips to Wilkey 5/8/06	
49	X						Letter from ConocoPhillips to Wilkey 6/15/06	

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Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES 8/20/08	BY
No.	ID	EV	No.	ID	EV			
53	X						Continued Direct of Richard Matthews	
							Letter from ConocoPhillips to Vidovich 11/6/06	
						11:00 Am -	Recess	
						11:15 Am.	Recess	
5	X						Offer to Sell Hypoments 10/22/07	
<del>55</del>							Witness Andrew Plaine - Sworn	
<del>42</del>							Direct	
							Mr. Plaine offered as an expert in	
							Real Estate appraisal	
72	X	X					Appraisal by Plaine 1/24/08	
						12:07 p.m.	Cross	
						12:27 pm	Redirect	
						12:31 pm	Recross	
						12:35 p.m.	Jury Excused for the day	
							Jury instructions discussed, objections	
							placed on the record.	
35	X	X					Declaration of Richard Matthews 11/9/07	
42	X	X					Letter from ConocoPhillips to Wilkey 9/17/04	
43	X	X					Letter from Wilkey to ConocoPhillips 9/21/04	
44	X	X					Letter from ConocoPhillips to Wilkey 3/11/05	
45	X	X					Letter from Wilkey to ConocoPhillips 4/15/08	
48	X	X					Letter from ConocoPhillips to Wilkey 5/8/06	
49	X	X					Letter from ConocoPhillips to Wilkey 6/15/06	
53	X	X					Letter from ConocoPhillips to Vidovich 11/6/06	
							Plaintiff Rests	
						12:50 pm	Recess	
						3:00 pm	Recess - Jury Not Present	
							Jury Instructions Reviewed by	



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Plaintiff			Defendant			DATE/TIME	EXHIBITS/WITNESSES 8/20/08 -	BY
No.	ID	EV	No.	ID	EV			
							the Court and the parties	
							Plaintiffs Motion for a judgment as	
							a matter of Law as to Defendants	
							Counter claim - taken under	
							Submission	
			515		✓			
						3:46	Recess	
							Thursday, August 21, 2008	
						9:00 AM.	Jury Present	
							Jury Instructed	
						9:30 AM.	Defendant / Counter Plaintiffs Opening	Δ
							Closing Statement	
						10:00 AM.	Recess	
						10:15 AM.	Reconvene	
							Plaintiff / Counter Defendants Closing Statement	γ
						10:45 AM.	Defendant / Counter Plaintiffs Final Closing Statement	
						11:00 AM.	Final Jury Instruction	
							Jury Deliberation Began	
						1:20 pm.	Jury Verdict for Defendant / Counter Plaintiff	
							Houtan to pay ConocoPhillips \$380,000.00	
							Jury Thanked and excused	
							Parties to retain their exhibits for	
							any appeal purpose.	
						1:30 pm.	Parties to brief Plaintiffs Motion for	
							judgment as a matter of Law. Plaintiff	
							to file Motion within 10 day, opposition due 10	
							days after that, Reply due 5 days after	
							the opposition is due. Matter will be submitted	

on the papers No appearance, No oral argument  
1:30 pm. Recess